

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Tamkaliks Side Channel and Floodplain Restoration

**Project No.:** 1992-026-01

**Project Manager:** Andre L'Heureux

**Location:** Wallowa County, Oregon

**Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021):** B1.20 Protection of Cultural Resources, Fish and Wildlife Habitat

**Description of the Proposed Action:** Bonneville Power Administration (BPA) proposes to provide funds to the Nez Perce Tribe of Idaho (NPT) for restoration activities in an area of the historical floodplain along River Mile (RM) 22 of the Wallowa River, in Wallowa County, Oregon. The activities would occur on Nez Perce Reservation lands.

The project would improve habitat conditions for ESA-listed fish species as well as other species of fish and wildlife. Improvements would be accomplished by restoring hydraulic and geomorphic processes, while enhancing instream, side channel and wetland habitat within a historic floodplain that has been disconnected from the main channel of the Wallowa River. Improved floodplain connection and roughness would provide spawning and rearing habitat for ESA-listed Snake River Chinook salmon (*Oncorhynchus tshawytscha*), Snake River steelhead (*Oncorhynchus mykiss*), reintroduced lamprey (*Lamptera* sp.), Coho salmon (*Oncorhynchus kisutch*), and other native fish species, and improve water quality at the reach scale.

Restoration actions for the project would consist of the construction of a new side channel approximately 1,550 feet in length, consisting of one main side channel and two secondary side channels, each with their own connection point to the Wallowa River. Approximately 12 pools would be dug to depths of one to three feet; eight within the main side channel and two in each of the secondary side channels. The main side channel would include one large alcove feature at the point of re-entry into the main Wallowa River, along with four off-channel wetlands to enhance floodplain connection and habitat diversity. An additional stand-alone alcove would be created upstream from the main project area where the Whiskey Creek irrigation return water enters the mainstem of the Wallowa River. Approximately five large wood structures and 20 trees would be placed throughout the side channel network to increase channel complexity. Riffle habitat within the side channels would be constructed using 3,200 cubic yards of riffle substrate and five traverse boulders interspersed among the substrate. Additionally, boulders would be installed in the mainstem Wallowa River at each of the three side channel inlet and outlet locations.

Construction activities are anticipated to last seven and a half months between July 15, 2020 and March 1, 2021. Excavated materials would be disposed off-site or spread in the upland areas. All areas denuded of vegetation along the banks of the side channels would be restored with native willows (*Salix* sp.). Areas outside of the newly developed side channels that would be disturbed would be seeded with a locally derived and adapted native seed mixture following project construction.

These activities fulfil commitments begun under the 2008 NOAA Fisheries Federal Columbia River Power System Biological Opinion (as supplemented in 2010 and 2014) (2008 BiOp) and

ongoing commitments under the 2019 NOAA Fisheries Columbia River System BiOp (2019 CRS BiOp).

**Findings:** In accordance with Section 1021.410(b) of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, Jul. 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011), BPA has determined that the proposed action:

- (1) fits within a class of actions listed in Appendix B of 10 CFR 1021, Subpart D (see attached Environmental Checklist);
- (2) does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal; and
- (3) has not been segmented to meet the definition of a categorical exclusion.

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.

/s/ Travis D. Kessler

Travis D. Kessler  
Contract Environmental Protection Specialist  
Salient CRGT, Inc.

Reviewed by:

/s/ Chad Hamel

Chad Hamel  
Supervisory Environmental Protection Specialist

Concur:

/s/ Katey Grange

Katey Grange  
NEPA Compliance  
Officer

Date: April 17, 2020

Attachment(s): Environmental Checklist

# Categorical Exclusion Environmental Checklist

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

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## Project Site Description

The proposed project would occur on RM 22 of the Wallowa River within the Grande Ronde Basin to the east of the town of Wallowa in Wallowa County, Oregon (Sections 11, 13 and 14, Township 1 North, and Range 42 East). Topography within the project area is generally flat with gentle undulations in areas where past disturbances or fill practices have occurred. Vegetation in the project area consists of trees and shrubs along the riparian area of the river, with the historic floodplain consisting of grasses and weedy forbs. Wetlands occur throughout the historic floodplain area. The project consists of a disconnected floodplain that historically was hydrologically connected to the Wallowa River. The land is owned by the NPT.

## Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. <b>Historic and Cultural Resources</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> Since the project area is located on Nez Perce Reservation lands, the NPT initiated consultation with Oregon SHPO and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) on December 11, 2009. This consultation also included submittal of a survey report prepared by Pat Baird Tribal Historic Preservation Officer (THPO) of the Nez Perce Tribe Cultural Resource Program (SHPO #22913; Baird 2009), as well as a determination of no historic properties affected. SHPO concurrence was received on December 11, 2009 (SHPO Case No. 09-2653). Following that consultation effort, project design and implementation were put on hold and revisited in 2018 and cultural resources surveys were conducted with the NPT's THPO. On July 22, 2018, BPA initiated Section 106 consultation with the NPT THPO and requested concurrence on BPA's determination that the implementation of the proposed undertaking would result in no historic properties affected based on field survey results. The THPO concurred with BPA's determination via an email dated July 9, 2018.</p>		
2. <b>Geology and Soils</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Explanation:</u> The excavation of side channels would permanently disturb soils on the project site. Best Management Practices (BMP's) would be implemented to prevent soils from eroding outside of the work site during construction of the proposed side channels. All areas denuded of vegetation along the banks of the side channels would be restored with native willows (<i>Salix</i> sp.). Areas outside of the newly developed side channels that would be disturbed would be seeded with a locally derived and adapted native seed mixture following project construction to minimize fugitive sediments from entering surface waters and wetlands.</p>		
3. <b>Plants</b> (including Federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> Although ground disturbance is proposed, there are no ESA-listed, state-listed, or sensitive plant species known to exist on the site. Vegetation disturbed as a result of the excavation of the proposed side channels would be planted with native willows. Areas outside of the side channels that would be disturbed would be seeded with a locally derived and adapted native seed mixture. Therefore, the project would result in a long-term net improvement to vegetation in the project area.</p>		

4. **Wildlife** (including Federal/state special-status species and habitats)



Explanation: No ESA listed, state-listed, or sensitive wildlife species have been documented in or adjacent to the project area and no designated critical habitat is present. Wildlife present on the site during construction activities may be temporarily disturbed by construction traffic and noise, but would likely avoid the area during this time and return once the project work is completed.

5. **Water Bodies, Floodplains, and Fish** (including Federal/state special-status species, ESUs, and habitats)



Explanation: The project would impact approximately 0.5 acres of the Wallowa River in order to construct the proposed side channels as part of the restoration actions. The NPT obtained a Clean Water Act (CWA) Section 404 permit under the Regional General Permit (RGP) 6 from the U.S. Army Corps of Engineers (USACE) on June 12, 2019. Since the project was permitted under the RGP-6, it is covered by the Oregon Department of Environmental Quality (DEQ) under a CWA Section 401 Water Quality Certification for the Reissuance of Regional General Permit #6 with Modifications for Bonneville Power Administration Funded Habitat Improvement Projects – USACE #2011-00127-1 on April 6, 2018.

Although the project would impact the Wallowa River, it would restore hydraulic and geomorphic processes, while enhancing instream, side channel and wetland habitat within a historic floodplain that has been disconnected from the main channel of the Wallowa River. This strategy would create more habitat function and value to the ecosystem than the current function of the Wallowa River in the immediate vicinity of the project area.

The project is covered under the Habitat Improvement Program (HIP) Biological Opinion (BiOp) under Section 7 of the Endangered Species Act. Listed fish species include: Snake River spring Chinook salmon, Snake River steelhead and Columbia River bull trout. Since the project is considered to be medium risk under HIP, a series of conservation measures would be followed to ensure that the project would be a benefit to ESA listed fish species.

These activities fulfil commitments begun under the 2008 NOAA Fisheries Federal Columbia River Power System Biological Opinion (as supplemented in 2010 and 2014) (2008 BiOp) and ongoing commitments under the 2019 NOAA Fisheries Columbia River System BiOp (2019 CRS BiOp).

6. **Wetlands**



Explanation: A total of 0.22 acres of wetland located in the historic floodplain of the Wallowa River would be impacted in order to construct the proposed side channels. As discussed above, the NPT obtained both Section 404 and 401 permits to allow for the work to occur as proposed. The project would be expected to be self-mitigating, and would allow for a net increase in wetland function and value to the proposed site over the existing site.

7. **Groundwater and Aquifers**



Explanation: Although there would be ground disturbance as a result of the excavation of the proposed side channels, the work is not expected to have a substantial effect on groundwater and aquifers. The side channel project would have a positive effect on groundwater recharge function and water quality once the new hydrologic inputs are able to spread across the floodplain and raise the water table, creating new wetlands and aquatic habitat.

8. **Land Use and Specially-Designated Areas**



Explanation: No change in land use would occur for the proposed project. The project is located on Nez Perce reservation lands.

9. **Visual Quality**



Explanation: The proposed work would have little to no effect on visual quality. The new large wood structures would be visually consistent with adjacent vegetation and the topography of the proposed side channels and would not be located in a visually sensitive area. Any change to the viewshed due to construction vehicles or equipment would be short term and temporary.

10. **Air Quality**



Explanation: A temporary increase in emissions and dust from vehicles accessing the field site would be very minor and short term during construction, but would resume to normal conditions immediately once the project is completed.

11. **Noise**



Explanation: The proposed work would result in a temporary increase in ambient noise. Any noise emitted from construction equipment would be short term and temporary during daylight hours and would cease following project completion.

12. **Human Health and Safety**



Explanation: The proposed work is not considered hazardous nor does it result in any health or safety risks to the general public. There would be no soil contamination or hazardous conditions, no CERCLA sites and no changes to electric or magnetic fields as a result of the proposed project.

**Evaluation of Other Integral Elements**

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.

Explanation, if necessary:

- Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation, if necessary:

- Disturb hazardous substances, pollutants, contaminants, or CERCLA excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases.

Explanation, if necessary:

- Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

Explanation, if necessary:

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**Landowner Notification, Involvement, or Coordination**

Description: The project sponsor, the NPT, would complete the project on reservation lands that are owned by the NPT.

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Based on the foregoing, this proposed project does not have the potential to cause significant impacts to any environmentally sensitive resource.

Signed: /s/ Travis D. Kessler

Date: April 17, 2020

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